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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 16/1332**

**APPEAL** by Eanna Geraghty care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 23<sup>rd</sup> day of February, 2017 by Kildare County Council to refuse permission to the said Eanna Geraghty.

**Proposed Development:** Development consisting of (a) removal of condition 9 of previously approved planning permission granted under planning register reference number 73/232 which required lands to be sterilised from future residential development, (b) the construction of a single storey dwelling with a floor area of 211.1 square metres, (c) the provision of a new on-site wastewater treatment system and percolation area, and (d) the provision of a new dual access vehicular entrance that will serve both the proposed new dwelling and the applicant's parents' existing dwelling. The portion of the dual access entrance serving the new dwelling will replace an existing agricultural entrance, and (e) all associated site development works, all at Roseberry, Newbridge, County Kildare.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. It is considered that the proposed development would constitute haphazard and piecemeal development in a rural area close to an urban centre and taken in conjunction with existing development in the vicinity and the proposed location of the dwelling at the rear of an existing dwelling, it would set an undesirable precedent for further such developments. Furthermore, it is considered that the proposed development would exacerbate an excessive density of development in a rural area lacking certain public services and community facilities, would lead to the increased suburbanisation of the area and would, therefore, be contrary to the policies of the planning authority as set out under RH9 and RH10 of the Kildare County Development Plan 2017-2023, which policies are considered reasonable. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Notwithstanding the proposal to increase the sightline to the north-west of the site to 50 metres, it is considered that this would remain substandard for the nature of this road close to an urban area within an 80 km/h speed zone. The proposed development would result in a traffic hazard by reason of the restricted visibility to the north-west of the entrance due to the poor alignment of the road. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**